



STATE OF DELAWARE

PUBLIC SERVICE COMMISSION

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November 17, 2016

MEMORANDUM

TO: The Chair and Members of the Commission

FROM: Toni Loper, Public Utility Analyst 

SUBJECT: IN THE MATTER OF THE APPLICATION OF GODADDY.COM, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE TELECOMMUNICATION SERVICES WITHIN THE STATE OF DELAWARE (SUBMITTED AUGUST 22, 2016; FILED OCTOBER 12, 2016) - PSC DOCKET NO. 16-0881

Background

On October 12, 2016, GoDaddy.com, LLC ("GoDaddy.com" or the "Company") filed an application (the "Application") with the Delaware Public Service Commission ("PSC" or the "Commission") for a Certificate of Public Convenience and Necessity ("CPCN") to provide telecommunications services to the public within the State of Delaware. The Delaware Public Service Commission Staff ("Staff") has reviewed the Application to determine its compliance with Delaware Law and the Rules and Regulations promulgated in 26 *Del. Admin. C.* §4001.

Application

The Company's original filing was submitted on August 22, 2016, but the submitted Application did not meet the minimum filing requirements ("MFR's"). Staff requested the Company file the following additional documentation: a) a copy of the Delaware business license, b) a certified copy of the financial statements current within 12 months of the filing, and c) proof of publication of the public notice in at least one (1) newspaper of general circulation, d) a signed, sworn verification for the original Application and for any subsequent filings in support of the Application.

Financial, Operational, Managerial and Technical Ability

The Company is a Delaware corporation with its principal place of business at 14455 N. Hayden Road, Scottsdale, AZ, 85620. The Company provided proof issued by the Delaware Secretary of State and the Delaware Division of Revenue that it is legally authorized and qualified to do business in the State of Delaware.

To demonstrate its financial capability, GoDaddy.com provided to Staff officer verified, audited financial statements of its parent company, GoDaddy Inc., reflecting its financial status as of June 30, 2016. The Company provided the contact information for a Delaware Registered Agent listed in the Application as Corporate Service Company, Wilmington, DE.

The Company anticipates serving customers throughout the State of Delaware as permitted by law and Commission Order. The Company proposes to provide intrastate telecommunications services, specifically, a proprietary interactive voice response (“IVR”) and unified messaging platform. The Company will purchase toll-free and direct inward dialing (“DID”) numbers, and resell those numbers as part of a virtual office service. Small business customers then can use those numbers to access the Applicant’s integrated suite of additional services and functionality, including: auto attendant, call forwarding /distribution, call queuing, call screening, Internet fax/fax back, and enhanced voicemail capabilities such as voice-to-text conversion, and email delivery of voicemails. Additionally, the Company may provide Interconnected Voice over Internet Protocol (“I-VoIP”) services. To demonstrate its technical and operational capabilities, the Company provided Staff with management biographies of its principal officers.

Pursuant to 26 *Del. Admin. C.* §4001-4.3, a copy of the Application was provided to the Division of the Public Advocate, through the Commission’s electronic filing system DelaFile. The Applicant provided Staff with the affidavits of publication which confirm public notice of the Application was published in the Delaware State News and The News Journal newspapers on September 25, 2016. Staff reports that it received no formal comments or objections to the Company’s Application for a CPCN.

Tariff

The Company provided proposed initial tariff sheets outlining rates, and terms and conditions, applicable to Resold Telecommunications Services.

Waiver

As part of its Application, the Company requested a waiver of the provisions of 26 *Del. C.* §208(b) so that it may maintain its books and records relating to its Delaware operations outside of the State of Delaware. Staff believes that the waiver request to maintain the Company’s books and records outside of Delaware is reasonable and Staff recommends that the Commission grant the waiver request.

Staff Recommendation

Based on Staff’s review and analysis, the Company has shown that it has the financial, operational, and technical means to provide telecommunications services in Delaware. Therefore, Staff recommends that the Commission grant GoDaddy.com, LLC a CPCN to provide telecommunications services within the State of Delaware.